

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF MAINE**

LOUIS G. DUCLOS ,

Plaintiff

v.

Civil No. 03-254-P-C

DAN GILDEA,

Defendant

**ORDER ACCEPTING RECOMMENDED DECISION**

After full *de novo* review, the Report and Recommended Decision herein (Docket Item No. 43) and the Order Denying Defendant's Motion to Reconsider (Docket Item No. 39) both docket items No. 43 and No. 34 in light of Plaintiff's objection (Docket Item No. 45), the said Recommended Decision (Docket Item No. 43), as so reconsidered, is hereby **ACCEPTED, ADOPTED, and AFFIRMED**; and it is hereby **ORDERED** that Defendant's Motion to Dismiss (Docket Item No. 20) be, and it is hereby, **GRANTED**. The Magistrate Judge's Order denying appointment of counsel (Docket Item No. 34) is also **AFFIRMED**, no showing having been made that it is clearly erroneous.

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Gene Carter  
Senior United States District Judge

Dated at Portland, Maine this 5<sup>th</sup> day of May, 2004.

[Counsel list follows.]

**Plaintiff**

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**LOUIS G DUCLOS**

represented by **LOUIS G DUCLOS**  
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PRO SE

V.

**Defendant**

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**DANIEL GILDEA**

represented by **T. DAVID PLOURDE**  
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*ATTORNEY TO BE NOTICED*

**Notice Only Party**

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**NEW HAMPSHIRE DISTRICT  
COURT**

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